



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF MAILING

I hereby certify under 37 C.F.R. 1.8(a) that this correspondence is being deposited with the United States Postal Service with sufficient postage as **Express mail** EV 238065386US on the date indicated below and in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☒ If checked, two copies of this correspondence are enclosed.

Date of Deposit: 2/20/2004

Dawn M. Janelle
Signature
Dawn M. Janelle
Printed name of person mailing correspondence

Applicant:	SHALABY,	Art Unit:	1617
Serial No.:	09/744,846	Examiner:	WELLS, LAUREN Q.
Filed:	May 22, 2001		
Title:	PHOSPHORYLATED POLYMERS AND CONJUGATES THEREOF		

**3RD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT AND
AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is submitted:

- ☐ under 37 CFR 1.97(b), or
(Whichever occurs last of the following: within three months of filing national application; within three months of date of entry of the national stage in an international application; before the mailing date of first office action on the merits; or before the mailing of a first Office action after the filing of a request for continued examination)
- ☐ under 37 CFR 1.97(c) together with either:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, or
- ☐ the fee set forth in 37 CFR 1.17(p), or
(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97(d) together with:
- ☐ a Statement under 37 CFR 1.97(e), as checked below, and
- ☐ the fee set forth in 37 CFR 1.17(p).
(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)
- ☒ under 37 CFR 1.97(f) together with:
- ☒ form PTO-1449, with a copy of the reference noted thereon.
- ☐ Applicant requests that the attached IDS and cited reference(s) [] be placed in the application filewrapper.
(Filed after payment of issue fee)
- ☐ Some of the listed references were cited in a European Search Report in a counterpart European application or cited in a communication from a foreign patent office in a counterpart foreign application

- ☐ Copies of the reference(s) noted on the enclosed form PTO/SB/08 were previously cited by or submitted to the Patent and Trademark Office in connection with U.S. Application Serial No. [], from which the present application claims benefit under 35 U.S.C. § 120 (37 C.F.R. 1.98(d)).

Concise Explanation Requirement (non-English references):

- ☐ The "concise explanation" requirement for reference(s) [AD, AK] under 37 CFR 1.98(a)(3) is satisfied by:
- ☐ the explanation provided on the attached sheet.
 - ☐ the explanation provided in the Specification.
 - ☐ submission of the enclosed International Search Report.
 - ☐ the enclosed English language abstracts.

It is requested that the information disclosed herein be made of record in this application, and that the references listed on the enclosed form PTO-1449 REPRODUCED appear under the "References Cited" heading of any Patent which issues from this application, (MPEP 1302.12).

Statement Under 37 CFR 1.97(e):

- ☐ Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Method of payment:

- ☐ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply.
- ☒ No fee is believed to be due for this submission. However Applicant(s) hereby authorize the Commissioner to charge any fees that may be deemed to be due or to credit any overpayment to Deposit Account No. 50-0590. Two copies of this Statement are enclosed.
- ☒ The Commissioner is hereby authorized to charge any deficiency in fees and credit any overpayment to Deposit Account 50-0590. Two copies of this Statement are enclosed.

Respectfully submitted,

BIOMEASURE, INCORPORATED

By

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PTO-141 REPRODUCED

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

(Use several sheets if necessary)

ATTORNEY DOCKET NO.
00537-183002
(076/US/PCT/US)APPLICATION NO.
09/762,431APPLICANT
Shalaby Wahba Shalaby *et al.*FILING DATE
May 22, 2001GROUP/EXAMINER
1617/WELLS, Lauren Q.

U.S. PATENT DOCUMENTS

EXAM- INER INIL.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	CA						
	CB						
	CC						
	CD						
	CE						
	CF						
	CG						
	CH						
	CI						
	CJ						
	CK						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO	
	CL							
	CM							
	CN							
	CO							
	CP							
	CQ							
	CR							
	CS							

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	CT	Mao, H.Q. et al., "Intramuscular Delivery of LacZ Plasmid Encapsulated in Microspheres Composed of Biodegradable Phosphate Chain-Extended Poly(L-lactide)", Proceed. Int'l Symp. Control. Rel. Bioact. Mater., Controlled Release Society, Inc., (1998) 25(316):203.
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EXAMINER

DATE CONSIDERED